

HOUSE BILL No. 1052

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-19-14.5-1; IC 9-30-6-6; IC 10-14-2-5; IC 16-18-2; IC 16-31; IC 16-41-10-1; IC 21-14-1-6; IC 25-1; IC 25-22.5-1-2; IC 25-24.5; IC 31-9-2-52; IC 34-6-2-92; IC 34-18-2; IC 34-30-12.5-2; IC 35-45-19-2; IC 35-47-4.5-3.

Synopsis: Paramedic licensing. Establishes the paramedic board to license paramedics instead of the certification of paramedics by the emergency medical services commission. Sets qualifications and requirements for a licensed paramedic. Makes it a Class B misdemeanor to practice as a paramedic without a license. Grandfathers in certain requirements. Makes conforming changes.

Effective: July 1, 2009.

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January 7, 2009, read first time and referred to Committee on Rules and Legislative Procedures.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1052

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-19-14.5-1, AS AMENDED BY P.L.1-2006,
2 SECTION 162, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2009]: Sec. 1. A privately owned vehicle
4 belonging to a ~~certified~~ **licensed** paramedic, certified emergency
5 medical technician-intermediate, certified emergency medical
6 technician-basic advanced, certified emergency medical technician,
7 certified emergency medical service driver, or certified emergency
8 medical service first responder while traveling in the line of duty in
9 connection with emergency medical services activities may display
10 flashing or revolving green lights, subject to the following restrictions
11 and conditions:
12 (1) The lights may not have a light source less than fifty (50)
13 candlepower.
14 (2) All lights shall be placed on the top of the vehicle.
15 (3) Not more than two (2) green lights may be displayed on a
16 vehicle and each light must be of the flashing or revolving type
17 and visible at three hundred sixty (360) degrees.



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(4) The lights must consist of a lamp with a green lens and not of an uncolored lens with a green bulb. However, the revolving lights may contain multiple bulbs.

(5) The green lights may not be a part of the regular head lamps displayed on the vehicle.

(6) For a person to be authorized under this chapter to display a flashing or revolving green light on the person's vehicle, the person must first secure a written permit from the executive director of the department of homeland security to use the light. The permit must be carried by the person when the light is displayed.

SECTION 2. IC 9-30-6-6, AS AMENDED BY P.L.94-2006, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 6. (a) A physician or a person trained in obtaining bodily substance samples and acting under the direction of or under a protocol prepared by a physician, who:

(1) obtains a blood, urine, or other bodily substance sample from a person, regardless of whether the sample is taken for diagnostic purposes or at the request of a law enforcement officer under this section; or

(2) performs a chemical test on blood, urine, or other bodily substance obtained from a person;

shall deliver the sample or disclose the results of the test to a law enforcement officer who requests the sample or results as a part of a criminal investigation. Samples and test results shall be provided to a law enforcement officer even if the person has not consented to or otherwise authorized their release.

(b) A physician, a hospital, or an agent of a physician or hospital is not civilly or criminally liable for any of the following:

(1) Disclosing test results in accordance with this section.

(2) Delivering a blood, urine, or other bodily substance sample in accordance with this section.

(3) Obtaining a blood, urine, or other bodily substance sample in accordance with this section.

(4) Disclosing to the prosecuting attorney or the deputy prosecuting attorney for use at or testifying at the criminal trial of the person as to facts observed or opinions formed.

(5) Failing to treat a person from whom a blood, urine, or other bodily substance sample is obtained at the request of a law enforcement officer if the person declines treatment.

(6) Injury to a person arising from the performance of duties in good faith under this section.

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(c) For the purposes of this chapter, IC 9-30-5, or IC 9-30-9:

(1) the privileges arising from a patient-physician relationship do not apply to the samples, test results, or testimony described in this section; and

(2) samples, test results, and testimony may be admitted in a proceeding in accordance with the applicable rules of evidence.

(d) The exceptions to the patient-physician relationship specified in subsection (c) do not affect those relationships in a proceeding not covered by this chapter, IC 9-30-5, or IC 9-30-9.

(e) The test results and samples obtained by a law enforcement officer under subsection (a) may be disclosed only to a prosecuting attorney or a deputy prosecuting attorney for use as evidence in a criminal proceeding under this chapter, IC 9-30-5, or IC 9-30-9.

(f) This section does not require a physician or a person under the direction of a physician to perform a chemical test.

(g) A physician or a person trained in obtaining bodily substance samples and acting under the direction of or under a protocol prepared by a physician shall obtain a blood, urine, or other bodily substance sample if the following exist:

(1) A law enforcement officer requests that the sample be obtained.

(2) The law enforcement officer has certified in writing the following:

(A) That the officer has probable cause to believe the person from whom the sample is to be obtained has violated IC 9-30-5.

(B) That the person from whom the sample is to be obtained has been involved in a motor vehicle accident that resulted in the serious bodily injury or death of another.

(C) That the accident that caused the serious bodily injury or death of another occurred not more than three (3) hours before the time the sample is requested.

(3) Not more than the use of reasonable force is necessary to obtain the sample.

(h) If the person:

(1) from whom the bodily substance sample is to be obtained under this section does not consent; and

(2) resists the taking of a sample;

the law enforcement officer may use reasonable force to assist an individual, who must be authorized under this section to obtain a sample, in the taking of the sample.

(i) The person authorized under this section to obtain a bodily

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substance sample shall take the sample in a medically accepted manner.

(j) A law enforcement officer may transport the person to a place where the sample may be obtained by any of the following persons who are trained in obtaining bodily substance samples and who have been engaged to obtain samples under this section:

(1) A physician holding an unlimited license to practice medicine or osteopathy.

(2) A registered nurse.

(3) A licensed practical nurse.

(4) An emergency medical technician-basic advanced (as defined in IC 16-18-2-112.5).

(5) An emergency medical technician-intermediate (as defined in IC 16-18-2-112.7).

(6) A **licensed** paramedic (as defined in IC 16-18-2-266) **licensed under IC 25-24.5.**

(7) A certified phlebotomist.

SECTION 3. IC 10-14-2-5, AS AMENDED BY P.L.2-2007, SECTION 148, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) For purposes of this section, "member of the military or public safety officer" means an individual who is any of the following:

(1) A member of a fire department (as defined in IC 36-8-1-8).

(2) An emergency medical service provider (as defined in IC 16-41-10-1).

(3) A member of a police department (as defined in IC 36-8-1-9).

(4) A correctional officer (as defined in IC 5-10-10-1.5).

(5) A state police officer.

(6) A county police officer.

(7) A police reserve officer.

(8) A county sheriff.

(9) A deputy sheriff.

(10) An excise police officer.

(11) A conservation enforcement officer.

(12) A town marshal.

(13) A deputy town marshal.

(14) A postsecondary educational institution police officer appointed under IC 21-17-5 or IC 21-39-4.

(15) A probation officer.

(16) A **licensed** paramedic.

(17) A volunteer firefighter (as defined in IC 36-8-12-2).

(18) An emergency medical technician or a **licensed** paramedic

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working in a volunteer capacity.

(19) A member of the armed forces of the United States.

(20) A member of the Indiana Air National Guard.

(21) A member of the Indiana Army National Guard.

(22) A member of a state or local emergency management agency.

(23) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.

(b) For purposes of this section, "dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness resulting from any action that a member of the military or public safety officer, in the member of the military's or public safety officer's official capacity, is obligated or authorized by rule, regulation, condition of employment or services, or law to perform in the course of performing the member of the military's or public safety officer's duty.

(c) If a member of the military or public safety officer dies in the line of duty, a state flag shall be presented to:

(1) the surviving spouse;

(2) the surviving children if there is no surviving spouse; or

(3) the surviving parent or parents if there is no surviving spouse and there are no surviving children.

(d) The agency shall administer this section.

(e) The director may adopt rules under IC 4-22-2 to implement this section.

SECTION 4. IC 16-18-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 7. (a) "Advanced life support", for purposes of IC 16-31, means care that is given:

(1) at the scene of:

(A) an accident;

(B) an act of terrorism (as defined in IC 35-41-1-26.5), if the governor has declared a disaster emergency under IC 10-14-3-12 in response to the act of terrorism; or

(C) an illness;

(2) during transport; or

(3) at a hospital;

by a **licensed** paramedic or an emergency medical technician-intermediate and that is more advanced than the care usually provided by an emergency medical technician or an emergency medical technician-basic advanced.

(b) The term may include any of the following:

(1) Defibrillation.

(2) Endotracheal intubation.

(3) Parenteral injections of appropriate medications.

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(4) Electrocardiogram interpretation.

(5) Emergency management of trauma and illness.

SECTION 5. IC 16-18-2-112.7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 112.7. "Emergency medical technician-intermediate", for purposes of IC 16-31, means an individual who can perform at least one (1) of but not all the procedures of a **licensed** paramedic and who:

(1) has completed a prescribed course in advanced life support;

(2) has been certified by the Indiana emergency medical services commission;

(3) is associated with a single supervising hospital; and

(4) is affiliated with a provider organization.

SECTION 6. IC 16-18-2-163, AS AMENDED BY P.L.108-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 163. (a) "Health care provider", for purposes of IC 16-21 and IC 16-41, means any of the following:

(1) An individual, a partnership, a corporation, a professional corporation, a facility, or an institution licensed or legally authorized by this state to provide health care or professional services as a licensed physician, a psychiatric hospital, a hospital, a health facility, an emergency ambulance service (IC 16-31-3), a dentist, a registered or licensed practical nurse, a midwife, an optometrist, a pharmacist, a podiatrist, a chiropractor, a physical therapist, a respiratory care practitioner, an occupational therapist, a psychologist, a **licensed** paramedic, an emergency medical technician, an emergency medical technician-basic advanced, an emergency medical technician-intermediate, or a person who is an officer, employee, or agent of the individual, partnership, corporation, professional corporation, facility, or institution acting in the course and scope of the person's employment.

(2) A college, university, or junior college that provides health care to a student, a faculty member, or an employee, and the governing board or a person who is an officer, employee, or agent of the college, university, or junior college acting in the course and scope of the person's employment.

(3) A blood bank, community mental health center, community mental retardation center, community health center, or migrant health center.

(4) A home health agency (as defined in IC 16-27-1-2).

(5) A health maintenance organization (as defined in IC 27-13-1-19).

(6) A health care organization whose members, shareholders, or

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partners are health care providers under subdivision (1).

(7) A corporation, partnership, or professional corporation not otherwise qualified under this subsection that:

(A) provides health care as one (1) of the corporation's, partnership's, or professional corporation's functions;

(B) is organized or registered under state law; and

(C) is determined to be eligible for coverage as a health care provider under IC 34-18 for the corporation's, partnership's, or professional corporation's health care function.

Coverage for a health care provider qualified under this subdivision is limited to the health care provider's health care functions and does not extend to other causes of action.

(b) "Health care provider", for purposes of IC 16-35, has the meaning set forth in subsection (a). However, for purposes of IC 16-35, the term also includes a health facility (as defined in section 167 of this chapter).

(c) "Health care provider", for purposes of IC 16-36-5, means an individual licensed or authorized by this state to provide health care or professional services as:

- (1) a licensed physician;
- (2) a registered nurse;
- (3) a licensed practical nurse;
- (4) an advanced practice nurse;
- (5) a licensed nurse midwife;
- (6) a **licensed** paramedic;
- (7) an emergency medical technician;
- (8) an emergency medical technician-basic advanced;
- (9) an emergency medical technician-intermediate; or
- (10) a first responder, as defined under IC 16-18-2-131.

The term includes an individual who is an employee or agent of a health care provider acting in the course and scope of the individual's employment.

(d) "Health care provider", for purposes of IC 16-40-4, means any of the following:

- (1) An individual, a partnership, a corporation, a professional corporation, a facility, or an institution licensed or authorized by the state to provide health care or professional services as a licensed physician, a psychiatric hospital, a hospital, a health facility, an emergency ambulance service (IC 16-31-3), an ambulatory outpatient surgical center, a dentist, an optometrist, a pharmacist, a podiatrist, a chiropractor, a psychologist, or a person who is an officer, employee, or agent of the individual,

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partnership, corporation, professional corporation, facility, or institution acting in the course and scope of the person's employment.

(2) A blood bank, laboratory, community mental health center, community mental retardation center, community health center, or migrant health center.

(3) A home health agency (as defined in IC 16-27-1-2).

(4) A health maintenance organization (as defined in IC 27-13-1-19).

(5) A health care organization whose members, shareholders, or partners are health care providers under subdivision (1).

(6) A corporation, partnership, or professional corporation not otherwise specified in this subsection that:

(A) provides health care as one (1) of the corporation's, partnership's, or professional corporation's functions;

(B) is organized or registered under state law; and

(C) is determined to be eligible for coverage as a health care provider under IC 34-18 for the corporation's, partnership's, or professional corporation's health care function.

(7) A person that is designated to maintain the records of a person described in subdivisions (1) through (6).

(e) "Health care provider", for purposes of IC 16-45-4, has the meaning set forth in 47 CFR 54.601(a).

SECTION 7. IC 16-18-2-266 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 266. **"Licensed paramedic"**, for purposes of IC 16-31, means an individual who:

(1) is:

(A) affiliated with a ~~certified~~ **licensed** paramedic organization;

(B) employed by a sponsoring hospital approved by the commission; or

(C) employed by a supervising hospital with a contract for inservice education with a sponsoring hospital approved by the commission;

(2) has completed a prescribed course in advanced life support; and

(3) has been ~~certified by the Indiana emergency medical services commission.~~ **licensed under IC 25-24.5.**

SECTION 8. IC 16-18-2-295, AS AMENDED BY P.L.41-2007, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 295. (a) "Provider", for purposes of IC 16-21-8, has the meaning set forth in IC 16-21-8-0.5.

(b) "Provider", for purposes of IC 16-38-5, IC 16-39 (except for

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IC 16-39-7) and IC 16-41-1 through IC 16-41-9 and IC 16-41-37, means any of the following:

(1) An individual (other than an individual who is an employee or a contractor of a hospital, a facility, or an agency described in subdivision (2) or (3)) who is licensed, registered, or certified as a health care professional, including the following:

- (A) A physician.
- (B) A psychotherapist.
- (C) A dentist.
- (D) A registered nurse.
- (E) A licensed practical nurse.
- (F) An optometrist.
- (G) A podiatrist.
- (H) A chiropractor.
- (I) A physical therapist.
- (J) A psychologist.
- (K) An audiologist.
- (L) A speech-language pathologist.
- (M) A dietitian.
- (N) An occupational therapist.
- (O) A respiratory therapist.
- (P) A pharmacist.
- (Q) A sexual assault nurse examiner.

(2) A hospital or facility licensed under IC 16-21-2 or IC 12-25 or described in IC 12-24-1 or IC 12-29.

(3) A health facility licensed under IC 16-28-2.

(4) A home health agency licensed under IC 16-27-1.

(5) An employer of a certified emergency medical technician, a certified emergency medical technician-basic advanced, a certified emergency medical technician-intermediate, or a **certified licensed** paramedic.

(6) The state department or a local health department or an employee, agent, designee, or contractor of the state department or local health department.

(c) "Provider", for purposes of IC 16-39-7-1, has the meaning set forth in IC 16-39-7-1(a).

SECTION 9. IC 16-31-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) The commission is composed of eleven (11) members. The governor shall appoint the members for four (4) year terms as follows:

(1) One (1) must be appointed from a volunteer fire department that provides emergency medical service.

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- 1 (2) One (1) must be appointed from a full-time municipal fire or
- 2 police department that provides emergency medical service.
- 3 (3) One (1) must be a nonprofit provider of emergency ambulance
- 4 services organized on a volunteer basis other than a volunteer fire
- 5 department.
- 6 (4) One (1) must be a provider of private ambulance services.
- 7 (5) One (1) must be a ~~state certified~~ **licensed** paramedic.
- 8 (6) One (1) must be a licensed physician who:
- 9 (A) has a primary interest, training, and experience in
- 10 emergency medical services; and
- 11 (B) is currently practicing in an emergency medical services
- 12 facility.
- 13 (7) One (1) must be a chief executive officer of a hospital that
- 14 provides emergency ambulance services.
- 15 (8) One (1) must be a registered nurse who has supervisory or
- 16 administrative responsibility in a hospital emergency department.
- 17 (9) One (1) must be a licensed physician who:
- 18 (A) has a primary interest, training, and experience in trauma
- 19 care; and
- 20 (B) is practicing in a trauma facility.
- 21 (10) One (1) must be a state certified emergency medical service
- 22 technician.
- 23 (11) One (1) must be an individual who:
- 24 (A) represents the public at large; and
- 25 (B) is not in any way related to providing emergency medical
- 26 services.
- 27 (b) The chief executive officer of a hospital appointed under
- 28 subsection (a)(7) may designate another administrator of the hospital
- 29 to serve for the chief executive officer on the commission.
- 30 (c) Not more than six (6) members may be from the same political
- 31 party.
- 32 SECTION 10. IC 16-31-3-3, AS AMENDED BY P.L.22-2005,
- 33 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 34 JULY 1, 2009]: Sec. 3. (a) A certificate **or license** is not required for
- 35 a person who provides emergency ambulance service, an emergency
- 36 medical technician, an emergency medical technician-basic advanced,
- 37 an ambulance, a nontransporting emergency medical services vehicle,
- 38 or advanced life support when doing any of the following:
- 39 (1) Providing assistance to persons certified to provide emergency
- 40 ambulance service or to emergency medical technicians.
- 41 (2) Operating from a location or headquarters outside Indiana to
- 42 provide emergency ambulance services to patients who are picked

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up outside Indiana for transportation to locations within Indiana.

(3) Providing emergency medical services during a major catastrophe or disaster with which persons or ambulances certified to provide emergency ambulance services are insufficient or unable to cope.

(b) An agency or instrumentality of the United States and any paramedic, emergency medical technician-intermediate, emergency medical technician-basic advanced, emergency medical technician, or first responder of the agency or instrumentality is not required to:

(1) be certified **or licensed**; or

(2) conform to the standards prescribed under this chapter.

SECTION 11. IC 16-31-3-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10. (a) Except as provided in subsection (b), to renew a certificate issued under this chapter upon expiration of the certificate for any reason, a person must comply with any continuing education requirements that have been established by the commission. To renew a certificate issued under this chapter after a revocation of the certificate, a person must comply with all the requirements of this chapter that apply to the original certification.

(b) A renewal of an emergency medical technician, an emergency medical technician-basic advanced, **or** an emergency medical technician-intermediate ~~or a paramedic~~ certificate shall be issued to an individual who meets the following conditions:

(1) While holding a valid certificate, enters the armed forces of the United States, including:

(A) the Army;

(B) the Navy;

(C) the Air Force;

(D) the Marines; or

(E) the Coast Guard;

but excluding the guard and reserve components of those forces.

(2) Is discharged from the armed forces of the United States within forty-eight (48) months after the individual entered the armed forces.

(3) Successfully completes, not more than nine (9) months after the individual's discharge from the armed forces of the United States, a refresher course approved by the commission.

(4) Applies for the certificate renewal not more than one (1) year after the individual's discharge from the armed forces of the United States.

(5) Passes the written and practical skills examinations.

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(c) A renewal of an emergency medical technician, an emergency medical technician-basic advanced, **or** an emergency medical technician-intermediate ~~or a paramedic~~ certificate must be issued to an individual who meets the following conditions:

(1) While holding a valid certificate, the individual is called to active military duty as a member of the Indiana National Guard or a reserve component of the armed forces of the United States, including:

(A) the Army;

(B) the Navy;

(C) the Air Force;

(D) the Marines; or

(E) the Coast Guard.

(2) The individual provides the emergency medical services commission with a copy of the document from the armed forces that called the individual to active duty.

(3) The individual applies for the certificate renewal not more than one hundred twenty (120) days after the individual leaves active duty.

SECTION 12. IC 16-31-3-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 21. (a) Notwithstanding any other law, a ~~certified~~ **licensed** paramedic or a certified emergency medical technician-intermediate may perform advanced life support in an emergency according to the rules of the commission.

(b) Notwithstanding any other law, a person may, during a course of instruction in advanced life support, perform advanced life support according to the rules of the commission.

SECTION 13. IC 16-31-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. An act or omission of a **licensed** paramedic or an emergency medical technician-intermediate done or omitted in good faith while providing advanced life support to a patient or trauma victim does not impose liability upon the **licensed** paramedic or emergency medical technician-intermediate, the authorizing physician, the hospital, or the officers, members of the staff, nurses, or other employees of the hospital or the local governmental unit if the advanced life support is provided:

(1) in connection with an emergency;

(2) in good faith; and

(3) under the written or oral direction of a licensed physician;

unless the act or omission was a result of negligence or willful misconduct.

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1 SECTION 14. IC 16-31-6-4 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) This section does
 3 not apply to an act or omission that was a result of gross negligence or
 4 willful or intentional misconduct.

5 (b) An act or omission of a **licensed** paramedic, an emergency
 6 medical technician-intermediate, an emergency medical
 7 technician-basic advanced, an emergency medical technician, or a
 8 person with equivalent **licensure or** certification from another state
 9 that is performed or made while providing advanced life support or
 10 basic life support to a patient or trauma victim does not impose liability
 11 upon the **licensed** paramedic, the emergency medical
 12 technician-intermediate, the emergency medical technician-basic
 13 advanced, an emergency medical technician, the person with
 14 equivalent **licensure or** certification from another state, a hospital, a
 15 provider organization, a governmental entity, or an employee or other
 16 staff of a hospital, provider organization, or governmental entity if the
 17 advanced life support or basic life support is provided in good faith:

18 (1) in connection with a disaster emergency declared by the
 19 governor under IC 10-14-3-12 in response to an act that the
 20 governor in good faith believes to be an act of terrorism (as
 21 defined in IC 35-41-1-26.5); and

22 (2) in accordance with the rules adopted by the Indiana
 23 emergency medical services commission or the disaster
 24 emergency declaration of the governor.

25 SECTION 15. IC 16-41-10-1 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in this
 27 chapter, "emergency medical services provider" means a firefighter, a
 28 law enforcement officer, a **licensed** paramedic, an emergency medical
 29 technician, a physician licensed under IC 25-22.5, a nurse licensed
 30 under IC 25-23, or other person who provides emergency medical
 31 services in the course of the person's employment.

32 SECTION 16. IC 21-14-1-6, AS ADDED BY P.L.2-2007,
 33 SECTION 255, IS AMENDED TO READ AS FOLLOWS
 34 [EFFECTIVE JULY 1, 2009]: Sec. 6. "Public safety officer" means any
 35 of the following:

- 36 (1) A regular, paid law enforcement officer.
- 37 (2) A regular, paid firefighter.
- 38 (3) A volunteer firefighter (as defined in IC 36-8-12-2).
- 39 (4) A county police reserve officer.
- 40 (5) A city police reserve officer.
- 41 (6) A **licensed** paramedic (as defined in IC 16-18-2-266).
- 42 (7) An emergency medical technician (as defined in

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1 IC 16-18-2-112).

2 (8) An advanced emergency medical technician (as defined in
3 IC 16-18-2-6) (repealed). ~~or~~

4 (9) A hazardous duty employee of the department of correction
5 who:

6 (A) works within a prison or juvenile facility; or

7 (B) performs parole or emergency response operations and
8 functions.

9 SECTION 17. IC 25-1-2-2.1, AS AMENDED BY P.L.3-2008,
10 SECTION 175, IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2009]: Sec. 2.1. Rather than being issued
12 annually, the following permits, licenses, certificates of registration, or
13 evidences of authority granted by a state agency must be issued for a
14 period of two (2) years or for the period specified in the article under
15 which the permit, license, certificate of registration, or evidence of
16 authority is issued if the period specified in the article is longer than
17 two (2) years:

18 (1) Certified public accountants, public accountants, and
19 accounting practitioners.

20 (2) Architects and landscape architects.

21 (3) Dry cleaners.

22 (4) Professional engineers.

23 (5) Land surveyors.

24 (6) Real estate brokers.

25 (7) Real estate agents.

26 (8) Security dealers' licenses issued by the securities
27 commissioner.

28 (9) Dental hygienists.

29 (10) Dentists.

30 (11) Veterinarians.

31 (12) Physicians.

32 (13) Chiropractors.

33 (14) Physical therapists.

34 (15) Optometrists.

35 (16) Pharmacists and assistants, drugstores or pharmacies.

36 (17) Motels and mobile home community licenses.

37 (18) Nurses.

38 (19) Podiatrists.

39 (20) Occupational therapists and occupational therapy assistants.

40 (21) Respiratory care practitioners.

41 (22) Social workers, marriage and family therapists, and mental
42 health counselors.

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(23) Real estate appraiser licenses and certificates issued by the real estate appraiser licensure and certification board.

(24) Wholesale legend drug distributors.

(25) Physician assistants.

(26) Dietitians.

(27) Hypnotists.

(28) Athlete agents.

(29) Manufactured home installers.

(30) Home inspectors.

(31) Massage therapists.

(31) Paramedics.

SECTION 18. IC 25-1-4-0.3, AS AMENDED BY P.L.2-2008, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 0.3. As used in this chapter, "board" means any of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects and landscape architects (IC 25-4-1-2).

(3) Indiana athletic trainers board (IC 25-5.1-2-1).

(4) Indiana auctioneer commission (IC 25-6.1-2-1).

(5) State board of barber examiners (IC 25-7-5-1).

(6) State boxing commission (IC 25-9-1).

(7) Board of chiropractic examiners (IC 25-10-1).

(8) State board of cosmetology examiners (IC 25-8-3-1).

(9) State board of dentistry (IC 25-14-1).

(10) Indiana dietitians certification board (IC 25-14.5-2-1).

(11) State board of registration for professional engineers (IC 25-31-1-3).

(12) Board of environmental health specialists (IC 25-32-1).

(13) State board of funeral and cemetery service (IC 25-15-9).

(14) Indiana state board of health facility administrators (IC 25-19-1).

(15) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).

(16) Home inspectors licensing board (IC 25-20.2-3-1).

(17) Indiana hypnotist committee (IC 25-20.5-1-7).

(18) State board of registration for land surveyors (IC 25-21.5-2-1).

(19) Manufactured home installer licensing board (IC 25-23.7).

(20) Medical licensing board of Indiana (IC 25-22.5-2).

(21) Indiana state board of nursing (IC 25-23-1).

(22) Occupational therapy committee (IC 25-23.5).

(23) Indiana optometry board (IC 25-24).

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- (24) Indiana board of pharmacy (IC 25-26).
- (25) Indiana physical therapy committee (IC 25-27-1).
- (26) Physician assistant committee (IC 25-27.5).
- (27) Indiana plumbing commission (IC 25-28.5-1-3).
- (28) Board of podiatric medicine (IC 25-29-2-1).
- (29) Private investigator and security guard licensing board (IC 25-30-1-5.2).
- (30) State psychology board (IC 25-33).
- (31) Indiana real estate commission (IC 25-34.1-2).
- (32) Real estate appraiser licensure and certification board (IC 25-34.1-8).
- (33) Respiratory care committee (IC 25-34.5).
- (34) Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- (35) Speech-language pathology and audiology board (IC 25-35.6-2).
- (36) Indiana board of veterinary medical examiners (IC 25-38.1-2).
- (37) Paramedic board (IC 25-24.5-2).**

SECTION 19. IC 25-1-5-3, AS AMENDED BY P.L.2-2008, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) There is established the Indiana professional licensing agency. The agency shall perform all administrative functions, duties, and responsibilities assigned by law or rule to the executive director, secretary, or other statutory administrator of the following:

- (1) Board of chiropractic examiners (IC 25-10-1).
- (2) State board of dentistry (IC 25-14-1).
- (3) Indiana state board of health facility administrators (IC 25-19-1).
- (4) Medical licensing board of Indiana (IC 25-22.5-2).
- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).
- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32).
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).
- (11) State psychology board (IC 25-33).
- (12) Indiana board of veterinary medical examiners (IC 25-38.1-2).
- (13) Controlled substances advisory committee (IC 35-48-2-1).

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- (14) Committee of hearing aid dealer examiners (IC 25-20).
- (15) Indiana physical therapy committee (IC 25-27).
- (16) Respiratory care committee (IC 25-34.5).
- (17) Occupational therapy committee (IC 25-23.5).
- (18) Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- (19) Physician assistant committee (IC 25-27.5).
- (20) Indiana athletic trainers board (IC 25-5.1-2-1).
- (21) Indiana dietitians certification board (IC 25-14.5-2-1).
- (22) Indiana hypnotist committee (IC 25-20.5-1-7).
- (23) Paramedic board (IC 25-24.5-2).**

(b) Nothing in this chapter may be construed to give the agency policy making authority, which authority remains with each board.

SECTION 20. IC 25-1-5-10, AS AMENDED BY P.L.2-2008, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10. (a) As used in this section, "provider" means an individual licensed, certified, registered, or permitted by any of the following:

- (1) Board of chiropractic examiners (IC 25-10-1).
- (2) State board of dentistry (IC 25-14-1).
- (3) Indiana state board of health facility administrators (IC 25-19-1).
- (4) Medical licensing board of Indiana (IC 25-22.5-2).
- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).
- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32-1).
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).
- (11) State psychology board (IC 25-33).
- (12) Indiana board of veterinary medical examiners (IC 25-38.1-2).
- (13) Indiana physical therapy committee (IC 25-27).
- (14) Respiratory care committee (IC 25-34.5).
- (15) Occupational therapy committee (IC 25-23.5).
- (16) Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- (17) Physician assistant committee (IC 25-27.5).
- (18) Indiana athletic trainers board (IC 25-5.1-2-1).
- (19) Indiana dietitians certification board (IC 25-14.5-2-1).
- (20) Indiana hypnotist committee (IC 25-20.5-1-7).

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(21) Paramedic board (IC 25-24.5-2).

(b) The agency shall create and maintain a provider profile for each provider described in subsection (a).

(c) A provider profile must contain the following information:

(1) The provider's name.

(2) The provider's license, certification, registration, or permit number.

(3) The provider's license, certification, registration, or permit type.

(4) The date the provider's license, certification, registration, or permit was issued.

(5) The date the provider's license, certification, registration, or permit expires.

(6) The current status of the provider's license, certification, registration, or permit.

(7) The provider's city and state of record.

(8) A statement of any disciplinary action taken against the provider within the previous ten (10) years by a board or committee described in subsection (a).

(d) The agency shall make provider profiles available to the public.

(e) The computer gateway administered by the office of technology established by IC 4-13.1-2-1 shall make the information described in subsection (c)(1), (c)(2), (c)(3), (c)(6), (c)(7), and (c)(8) generally available to the public on the Internet.

(f) The agency may adopt rules under IC 4-22-2 to implement this section.

SECTION 21. IC 25-1-9-1, AS AMENDED BY P.L.2-2008, SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. As used in this chapter, "board" means any of the following:

(1) Board of chiropractic examiners (IC 25-10-1).

(2) State board of dentistry (IC 25-14-1).

(3) Indiana state board of health facility administrators (IC 25-19-1).

(4) Medical licensing board of Indiana (IC 25-22.5-2).

(5) Indiana state board of nursing (IC 25-23-1).

(6) Indiana optometry board (IC 25-24).

(7) Indiana board of pharmacy (IC 25-26).

(8) Board of podiatric medicine (IC 25-29-2-1).

(9) Board of environmental health specialists (IC 25-32).

(10) Speech-language pathology and audiology board (IC 25-35.6-2).

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- (11) State psychology board (IC 25-33).
- (12) Indiana board of veterinary medical examiners (IC 25-38.1-2).
- (13) Indiana physical therapy committee (IC 25-27-1).
- (14) Respiratory care committee (IC 25-34.5).
- (15) Occupational therapy committee (IC 25-23.5).
- (16) Social worker, marriage and family therapist, and mental health counselor board (IC 25-23.6).
- (17) Physician assistant committee (IC 25-27.5).
- (18) Indiana athletic trainers board (IC 25-5.1-2-1).
- (19) Indiana dietitians certification board (IC 25-14.5-2-1).
- (20) Indiana hypnotist committee (IC 25-20.5-1-7).
- (21) Paramedic board (IC 25-24.5-2).**

SECTION 22. IC 25-22.5-1-2, AS AMENDED BY P.L.90-2007, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) This article, as it relates to the unlawful or unauthorized practice of medicine or osteopathic medicine, does not apply to any of the following:

- (1) A student in training in a medical school approved by the board, or while performing duties as an intern or a resident in a hospital under the supervision of the hospital's staff or in a program approved by the medical school.
- (2) A person who renders service in case of emergency where no fee or other consideration is contemplated, charged, or received.
- (3) A **licensed** paramedic (as defined in ~~IC 16-18-2-266~~) **licensed under IC 25-24.5**, an emergency medical technician-basic advanced (as defined in IC 16-18-2-112.5), an emergency medical technician-intermediate (as defined in IC 16-18-2-112.7), an emergency medical technician (as defined in IC 16-18-2-112), or a person with equivalent certification from another state who renders advanced life support (as defined in IC 16-18-2-7), or basic life support (as defined in IC 16-18-2-33.5):
 - (A) during a disaster emergency declared by the governor under IC 10-14-3-12 in response to an act that the governor in good faith believes to be an act of terrorism (as defined in IC 35-41-1-26.5); and
 - (B) in accordance with the rules adopted by the Indiana emergency medical services commission or the disaster emergency declaration of the governor.
- (4) Commissioned medical officers or medical service officers of the armed forces of the United States, the United States Public Health Service, and medical officers of the United States

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Department of Veterans Affairs in the discharge of their official duties in Indiana.

(5) An individual who is not a licensee who resides in another state or country and is authorized to practice medicine or osteopathic medicine there, who is called in for consultation by an individual licensed to practice medicine or osteopathic medicine in Indiana.

(6) A person administering a domestic or family remedy to a member of the person's family.

(7) A member of a church practicing the religious tenets of the church if the member does not make a medical diagnosis, prescribe or administer drugs or medicines, perform surgical or physical operations, or assume the title of or profess to be a physician.

(8) A school corporation and a school employee who acts under IC 34-30-14 (or IC 34-4-16.5-3.5 before its repeal).

(9) A chiropractor practicing the chiropractor's profession under IC 25-10 or to an employee of a chiropractor acting under the direction and supervision of the chiropractor under IC 25-10-1-13.

(10) A dental hygienist practicing the dental hygienist's profession under IC 25-13.

(11) A dentist practicing the dentist's profession under IC 25-14.

(12) A hearing aid dealer practicing the hearing aid dealer's profession under IC 25-20.

(13) A nurse practicing the nurse's profession under IC 25-23. However, a registered nurse may administer anesthesia if the registered nurse acts under the direction of and in the immediate presence of a physician and holds a certificate of completion of a course in anesthesia approved by the American Association of Nurse Anesthetists or a course approved by the board.

(14) An optometrist practicing the optometrist's profession under IC 25-24.

(15) A pharmacist practicing the pharmacist's profession under IC 25-26.

(16) A physical therapist practicing the physical therapist's profession under IC 25-27.

(17) A podiatrist practicing the podiatrist's profession under IC 25-29.

(18) A psychologist practicing the psychologist's profession under IC 25-33.

(19) A speech-language pathologist or audiologist practicing the pathologist's or audiologist's profession under IC 25-35.6.

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(20) An employee of a physician or group of physicians who performs an act, a duty, or a function that is customarily within the specific area of practice of the employing physician or group of physicians, if the act, duty, or function is performed under the direction and supervision of the employing physician or a physician of the employing group within whose area of practice the act, duty, or function falls. An employee may not make a diagnosis or prescribe a treatment and must report the results of an examination of a patient conducted by the employee to the employing physician or the physician of the employing group under whose supervision the employee is working. An employee may not administer medication without the specific order of the employing physician or a physician of the employing group. Unless an employee is licensed or registered to independently practice in a profession described in subdivisions (9) through (18), nothing in this subsection grants the employee independent practitioner status or the authority to perform patient services in an independent practice in a profession.

(21) A hospital licensed under IC 16-21 or IC 12-25.

(22) A health care organization whose members, shareholders, or partners are individuals, partnerships, corporations, facilities, or institutions licensed or legally authorized by this state to provide health care or professional services as:

- (A) a physician;
- (B) a psychiatric hospital;
- (C) a hospital;
- (D) a health maintenance organization or limited service health maintenance organization;
- (E) a health facility;
- (F) a dentist;
- (G) a registered or licensed practical nurse;
- (H) a midwife;
- (I) an optometrist;
- (J) a podiatrist;
- (K) a chiropractor;
- (L) a physical therapist; or
- (M) a psychologist.

(23) A physician assistant practicing the physician assistant profession under IC 25-27.5.

(24) A physician providing medical treatment under IC 25-22.5-1-2.1.

(25) An attendant who provides attendant care services (as

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defined in IC 16-18-2-28.5).

(26) A personal services attendant providing authorized attendant care services under IC 12-10-17.1.

(b) A person described in subsection (a)(9) through (a)(18) is not excluded from the application of this article if:

(1) the person performs an act that an Indiana statute does not authorize the person to perform; and

(2) the act qualifies in whole or in part as the practice of medicine or osteopathic medicine.

(c) An employment or other contractual relationship between an entity described in subsection (a)(21) through (a)(22) and a licensed physician does not constitute the unlawful practice of medicine under this article if the entity does not direct or control independent medical acts, decisions, or judgment of the licensed physician. However, if the direction or control is done by the entity under IC 34-30-15 (or IC 34-4-12.6 before its repeal), the entity is excluded from the application of this article as it relates to the unlawful practice of medicine or osteopathic medicine.

(d) This subsection does not apply to a prescription or drug order for a legend drug that is filled or refilled in a pharmacy owned or operated by a hospital licensed under IC 16-21. A physician licensed in Indiana who permits or authorizes a person to fill or refill a prescription or drug order for a legend drug except as authorized in IC 16-42-19-11 through IC 16-42-19-19 is subject to disciplinary action under IC 25-1-9. A person who violates this subsection commits the unlawful practice of medicine under this chapter.

(e) A person described in subsection (a)(8) shall not be authorized to dispense contraceptives or birth control devices.

SECTION 23. IC 25-24.5 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]:

ARTICLE 24.5. PARAMEDICS

Chapter 1. Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 2. "Board" refers to the paramedic board established by IC 25-24.5-2-1.

Sec. 3. "Health care professional" means any of the following:

(1) A physician licensed under IC 25-22.5.

(2) A dentist licensed under IC 25-14.

(3) A chiropractor licensed under IC 25-10.

(4) A podiatrist licensed under IC 25-29.

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- (5) An optometrist licensed under IC 25-24.
- (6) A nurse licensed under IC 25-23-1.
- (7) A physical therapist licensed under IC 25-27 or a physical therapist's assistant certified under IC 25-27.
- (8) A speech-language pathologist or an audiologist licensed under IC 25-35.6-3.
- (9) A speech-language pathology aide or an audiology assistant (as defined in IC 25-35.6-1-2).
- (10) An:
 - (A) occupational therapist licensed; or
 - (B) occupational therapist assistant certified; under IC 25-23.5.
- (11) A social worker licensed under IC 25-23.6 or a social work assistant.
- (12) A pharmacist licensed under IC 25-26-13.

Sec. 4. "Licensed paramedic" means an individual who has been licensed by the board.

Chapter 2. Paramedic Board

Sec. 1. The paramedic board is established.

Sec. 2. The board consists of seven (7) members appointed by the governor as follows:

- (1) Four (4) members who are paramedics.
- (2) One (1) member who has an unlimited license to practice medicine in Indiana.
- (3) One (1) member who is an attorney licensed to practice law in Indiana.
- (4) One (1) member who administers a hospital licensed under IC 16-21-2.

Sec. 3. (a) The term of each board member is four (4) years.

(b) A board member may be reappointed for not more than three (3) consecutive terms.

(c) A board member serves until the board member's successor is appointed. A vacancy occurring in the membership of the board for any cause shall be filled by appointment by the governor for the unexpired term.

(d) The board members shall annually select a chairperson and a vice chairperson from among the board's members.

Sec. 4. (a) The board shall meet at least one (1) time each year at the call of the chairperson.

(b) Four (4) board members constitute a quorum.

(c) The affirmative vote of four (4) board members is required for the board to take action.

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1 **Sec. 5. The health professions bureau shall provide staff support**
 2 **for the board.**

3 **Sec. 6. The board shall do the following:**

4 (1) **Establish requirements for licensure as a licensed**
 5 **paramedic.**

6 (2) **Establish fees for the licensure of paramedics.**

7 (3) **Establish annual continuing education requirements for**
 8 **license renewal.**

9 (4) **Develop a peer review procedure.**

10 (5) **Prescribe informed consent forms and other relevant**
 11 **forms.**

12 (6) **Adopt rules under IC 4-22-2 that define the scope of**
 13 **practice for paramedics.**

14 **Sec. 7. The board shall adopt rules under IC 4-22-2 to**
 15 **administer this article.**

16 **Chapter 3. Paramedic Licensing**

17 **Sec. 1. (a) An individual may not practice as a paramedic unless:**

18 (1) **the individual is a licensed paramedic acting within the**
 19 **scope of the person's license; or**

20 (2) **the individual has a paramedic license issued under this**
 21 **article.**

22 **(b) To become a licensed paramedic, an applicant must satisfy**
 23 **the following requirements:**

24 (1) **Be at least twenty-one (21) years of age.**

25 (2) **Satisfactorily complete educational and practical**
 26 **requirements adopted by the board.**

27 (3) **Acquire and document practical experience as outlined by**
 28 **the board.**

29 (4) **Pay the fee established by the board.**

30 **Sec. 2. The board may require an oral interview with an**
 31 **applicant to assess the applicant's fitness to be a licensed**
 32 **paramedic.**

33 **Sec. 3. The board shall grant a license to practice as a**
 34 **paramedic to an applicant who satisfies the requirements of section**
 35 **1 of this chapter unless the board determines that the applicant is**
 36 **unfit under section 2 of this chapter.**

37 **Sec. 4. (a) A license issued under this chapter expires three (3)**
 38 **years after the date of issuance. Failure to renew a license on or**
 39 **before the expiration date invalidates the license without any**
 40 **action by the board.**

41 **(b) The procedure for renewal of a license shall be set by the**
 42 **board.**

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Sec. 5. The board:

- (1) shall adopt rules under IC 4-22-2 to set the fees for issuance or renewal of a license under this article; and
- (2) may adopt rules under IC 4-22-2 to set other fees the board considers necessary to administer this article.

Sec. 6. Only an individual who is a licensed paramedic under this article may use the title "licensed paramedic".

Sec. 7. The board may deny the license application of an individual or suspend or revoke the paramedic license of an individual if the individual does any of the following:

- (1) Uses alcohol or drugs to a degree that impairs the individual's practice as a paramedic.
- (2) Engages in unprofessional conduct as defined by the board's rules.
- (3) Commits an act or makes an omission constituting gross negligence arising from practice as a paramedic.
- (4) Obtains a paramedic license through fraud.
- (5) Violates this article or a rule adopted under this article by the board.

Sec. 8. The board shall provide notice and a hearing under IC 4-21.5 to an individual licensed under this article before the board may deny the renewal of or suspend or revoke the individual's license under section 7 of this chapter.

Sec. 9. The board may impose a civil penalty of not more than five hundred dollars (\$500) upon an individual licensed under this article who commits an act or makes an omission described in section 7 of this chapter.

Sec. 10. The board may issue a license to an individual who is licensed as a paramedic in another state having requirements that the board determines are at least equal to the licensing requirements of this article.

Sec. 11. An individual who knowingly or intentionally:

- (1) practices as a paramedic; or
- (2) uses the title "licensed paramedic";

without a license required under this article commits a Class B misdemeanor.

SECTION 24. IC 31-9-2-52 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 52. "Health care provider", for purposes of IC 31-32-11-1, IC 31-33, IC 31-34-7-4, and IC 31-39-8-4, means any of the following:

- (1) A licensed physician, intern, or resident.
- (2) An osteopath.

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- (3) A chiropractor.
- (4) A dentist.
- (5) A podiatrist.
- (6) A registered nurse or other licensed nurse.
- (7) A mental health professional.
- (8) A **licensed** paramedic or an emergency medical technician.
- (9) A social worker, an x-ray technician, or a laboratory technician employed by a hospital.
- (10) A pharmacist.
- (11) A person working under the direction of any of the practitioners listed in subdivisions (1) through (10).

SECTION 25. IC 34-6-2-92 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 92. "**Licensed paramedic**", for purposes of IC 34-18, has the meaning set forth in IC 34-18-2-21.

SECTION 26. IC 34-18-2-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 14. "Health care provider" means any of the following:

- (1) An individual, a partnership, a limited liability company, a corporation, a professional corporation, a facility, or an institution licensed or legally authorized by this state to provide health care or professional services as a physician, a psychiatric hospital, a hospital, a health facility, an emergency ambulance service (IC 16-18-2-107), a dentist, a registered or a licensed practical nurse, a physician assistant, a midwife, an optometrist, a podiatrist, a chiropractor, a physical therapist, a respiratory care practitioner, an occupational therapist, a psychologist, a **licensed** paramedic, an emergency medical technician-intermediate, an emergency medical technician-basic advanced, or an emergency medical technician, or a person who is an officer, an employee, or an agent of the individual, partnership, corporation, professional corporation, facility, or institution acting in the course and scope of the person's employment.
- (2) A college, university, or junior college that provides health care to a student, faculty member, or employee, and the governing board or a person who is an officer, employee, or agent of the college, university, or junior college acting in the course and scope of the person's employment.
- (3) A blood bank, community mental health center, community mental retardation center, community health center, or migrant health center.
- (4) A home health agency (as defined in IC 16-27-1-2).

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(5) A health maintenance organization (as defined in IC 27-13-1-19).

(6) A health care organization whose members, shareholders, or partners are health care providers under subdivision (1).

(7) A corporation, limited liability company, partnership, or professional corporation not otherwise qualified under this section that:

(A) as one (1) of its functions, provides health care;

(B) is organized or registered under state law; and

(C) is determined to be eligible for coverage as a health care provider under this article for its health care function.

Coverage for a health care provider qualified under this subdivision is limited to its health care functions and does not extend to other causes of action.

SECTION 27. IC 34-18-2-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 21. (a) **"Licensed paramedic"**, except as provided in subsection (b), ~~has the meaning set forth in IC 16-18-2-266.~~ **means an individual licensed under IC 25-24.5.**

(b) The term does not include such a person while operating an emergency vehicle.

SECTION 28. IC 34-30-12.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. As used in this chapter, "health care provider" means the following:

(1) An individual, a partnership, a professional corporation, a facility, or an institution licensed or legally authorized by the state to provide health care or professional services as any of the following:

(A) A licensed physician.

(B) A psychiatric hospital.

(C) A hospital.

(D) A health facility.

(E) A nurse licensed under IC 25-23.

(F) A **licensed** paramedic.

(G) An emergency technician.

(H) An advanced emergency technician.

(2) An employee of an individual or entity described in subdivision (1).

(3) A member of the medical staff of an individual or entity described in subdivision (1).

(4) An individual who has been authorized by the governing board of an individual or entity described in subdivision (1) to

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provide health care services on the individual's or entity's premises or on the individual's or entity's behalf.

(5) An individual who, under contract with an individual or entity described in subdivision (1), administers an inoculation or another medical countermeasure against an actual or a potential bioterrorist incident or another actual or potential public health emergency under the circumstances described in section 1 of this chapter.

SECTION 29. IC 35-45-19-2, AS ADDED BY P.L.68-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. As used in this chapter, "public safety officer" means:

- (1) a law enforcement officer;
- (2) a correctional officer;
- (3) a state university police officer;
- (4) a firefighter;
- (5) an emergency medical technician; or
- (6) a **licensed** paramedic.

SECTION 30. IC 35-47-4.5-3, AS AMENDED BY P.L.3-2008, SECTION 255, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. As used in this chapter, "public safety officer" means:

- (1) a state police officer;
- (2) a county sheriff;
- (3) a county police officer;
- (4) a correctional officer;
- (5) an excise police officer;
- (6) a county police reserve officer;
- (7) a city police officer;
- (8) a city police reserve officer;
- (9) a conservation enforcement officer;
- (10) a gaming agent;
- (11) a town marshal;
- (12) a deputy town marshal;
- (13) a state educational institution police officer appointed under IC 21-39-4;
- (14) a probation officer;
- (15) a firefighter (as defined in IC 9-18-34-1);
- (16) an emergency medical technician;
- (17) a **licensed** paramedic;
- (18) a member of a consolidated law enforcement department established under IC 36-3-1-5.1; or

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(19) a gaming control officer.

SECTION 31. [EFFECTIVE JULY 1, 2009] (a) As used in this SECTION, "board" refers to the paramedic board established by IC 25-24.5-2-1, as added by this act.

(b) Notwithstanding IC 25-24.5-2-1, as added by this act, the governor shall appoint the initial members of the board before September 1, 2009, for terms expiring as follows:

(1) Two (2) members appointed under IC 25-24.5-2-2(1), as added by this act, and one (1) member appointed under IC 25-24.5-2-2(2), as added by this act, for a term expiring August 31, 2013.

(2) One (1) member appointed under IC 25-24.5-2-2(1), as added by this act, and one (1) member appointed under IC 25-24.5-2-2(3), as added by this act, for a term expiring August 31, 2012.

(3) One (1) member appointed under IC 25-24.5-2-2(1), as added by this act, and one (1) member appointed under IC 25-24.5-2-2(4), as added by this act, for a term expiring August 31, 2011.

(c) This SECTION expires September 1, 2013.

SECTION 32. [EFFECTIVE JULY 1, 2009] (a) The definitions in IC 25-24.5-1, as added by this act, apply throughout this SECTION.

(b) An individual who is certified by the Indiana emergency medical services commission as a certified paramedic under IC 16-31 and practices as a paramedic does not violate IC 25-24.5, as added by this act, and may not be disciplined or sanctioned for failure to be licensed if the individual obtains a license under IC 25-24.5, as added by this act, before July 1, 2011.

(c) This SECTION expires July 1, 2011.

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